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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JACK WILLIAM MORGAN,

14 Defendant.
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Case No. 2:17-CR-0064-KJD-GWF

ORDER

16 Presently before the Court are Defendant's Motion for Release Based on Violation of
17 Constitutional Rights (#72) and Motion to Dismiss Based on Prosecutor Testimony (#73). The
18 Government filed a response in opposition to both motions (#74). Defendant's motion for release is
19 little more than a motion for reconsideration of the Court's decisions regarding his pre-trial
20 confinement and continuation of this action.

21 Though Defendant is correct that he is entitled to a presumption of innocence and trial by a
22 jury, Defendant was discovered by law enforcement driving a van in which a woman was chained to
23 the floor. The public interest would not be served by his pre-trial release. Trial by jury is set for
24 December 18, 2017. The short continuances that have been granted may have personally
25 inconvenienced Defendant but have not violated his rights to a speedy trial. Therefore, his motion for
26 release is denied.

1 Defendant's motion to dismiss makes no mention of prosecutor testimony except for the title.
2 Defendant's motion also makes no reference to legal authority for his proposition that the case
3 should be dismissed. Instead, Defendant merely argues his clearly skewed version of the facts.
4 Therefore, Defendant's motion to dismiss is denied. Further, based on the factual assertions
5 Defendant makes, the Court orders the Motion to Dismiss (#73) sealed.

6 Accordingly, IT IS HEREBY ORDERED that Defendant's Motion for Release Based on
7 Violation of Constitutional Rights (#72) is **DENIED**;

8 IT IS FURTHER ORDERED that Defendant's Motion to Dismiss Based on Prosecutor
9 Testimony (#73) is **DENIED**;

10 IT IS FURTHER ORDERED that the Clerk of the Court **SEAL** Docket No. 73.

11 DATED this 20th day of November 2017.

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15 Kent J. Dawson
16 United States District Judge
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